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| 2 | IN THE UNITED STATES DIS FOR THE DISTRICT OF | NEVADA CLERK US DISTRICT COURT DISTRICT OF NEVADA DEPUTY |
| 3 | UNITED STATES OF AMERICA, | DISTRICT OF NEVADA DEPUTY |
| 4 | Plaintiff, | } |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, | SUBFILE NO. C-125-B |
| 7 | vs. |) |
| 8 | WALKER RIVER IRRIGATION DISTRICT, | ,) |
| 9 | a corporation, et al., NOTICE OF APPEARANCE AND INT | FNT TO PARTICIPATE |
| 10 | NOTICE OF APPEARANCE AND INT | DIVI 101111111111111111111111111111111111 |
| 11 | I hereby enter my appearance in this sub | |
| 12 | I am filing this document with the Distri- directed on the Notice In Lieu of Summons: | ct Court at the following address and as |
| 13 | Chief Deputy Clerk | |
| 14 | United States District Court for the District of Nevada | |
| 15 16 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 17 | 3. I (or the entity on whose behalf I am actin | ng) will retain all defenses or objections |
| 18 | to the lawsuit or to the jurisdiction or venue of the cour | t except for objections based on a defect |
| 19 | in the Notice in Lieu of Summons or in the service of | |
| 20 | 4. If I (or the entity on whose behalf I a | |
| 21 | represent me in these proceedings, I identify that attorn | |
| 22 | address, telephone number, facsimile number, and e-r | mail address: |
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| 24 | Attorney: | |
| 25 | | |
| 26 | Address: | |
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| | NOTICE OF APPEARANCE AND INTENT TO PARTI | CIPATE (service), page 1 of 2 |

| 1 | Phone Number: |
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| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 6 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro |
| 7 | hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
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| 13 | (Signature) |
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| 15 | (Printed or typed Name) |
| 16 | HERB E 0110 |
| 17 | 170702 0110 |
| 18 | (Entity, if any, on whose |
| 19 | behalf you are appearing) |
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| 21 | (Address) |
| 22 | 935/fwy 208 YERINGTON |
| 23 | (Telephone number) |
| 24 | 775-4631254 |
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| Case 3:73 | 3#3-00092 27-F6R1BAMSBODOBUTH38 At 4F#99 | e8/91 /2008/08393663 of 114 |
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| | | FILED — RECEIVED — SERVED ON |
| 1 | | COUNSEL/PARTIES OF RECORD |
| 2 | IN THE UNITED STATES DISTRICT OF | STRICT COURAGE - 1 2008 |
| 3 | | CLERK US DISTRICT COURT DISTRICT OF NEVADA |
| 4 | Plaintiff, | BY:DEPUTY |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | vs. |)) |
| 9 | WALKER RIVER IRRIGATION DISTRICT, |))) |
| 10 | NOTICE OF APPEARANCE AND INTE | ENT TO PARTICIPATE |
| 11 | 1. I hereby enter my appearance in this sub- | man Part Alban |
| 12 | | • |
| 13 | 2. I am filing this document with the Distric directed on the Notice In Lieu of Summons: | t Court at the following address and as |
| 14 | Chief Deputy Clerk United States District Court for the | |
| 15 16 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 17 | 3. I (or the entity on whose behalf I am acting | y) will retain all defenses or objections |
| 18 | to the lawsuit or to the jurisdiction or venue of the court of | - |
| 19 | in the Notice in Lieu of Summons or in the service of the | • |
| 20 | 4. If I (or the entity on whose behalf I am | acting) have retained an attorney to |
| 21 | represent me in these proceedings, I identify that attorne | y below, along with his or her mailing |
| 22 | address, telephone number, facsimile number, and e-ma | il address: |
| 23 | | |
| 24 | Attorney: | |
| 25 | | |
| 26 | Address: | |
| 27 | | |
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| | NOTICE OF APPEARANCE AND INTENT TO PARTICIE | ATE (service), page 1 of 2 |

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| 1 | Phone Number: |
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| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 7 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 9 | |
| 11 | |
| 12 | Woodie P. Otto |
| 13 | (Signature) |
| 14 | |
| 15 | WOODIE P. OHO |
| 16 | (Printed or typed Name) |
| 17 | |
| 18 | |
| 19 | (Entity, if any, on whose |
| 20 | behalf you are appearing) 935 Hwy 208 |
| 21 | Yerington, Nu. 89447 |
| 22 | (Address) |
| 23 ∦ | <u>775-463-1254</u> (Telephone number) |
| 4 | (Telephone number) |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 5 of 114

August 24, 2008

Susan L. Schneider, Attorney U.S. Department of Justice P.O. Box 756 Littleton, Co 80160-0756

Re: United States of America, Plaintiff, Walker River Paiute Tribe, Plaintiff-Interventor, vs. Walker Irrigation District, a Corporation, et al.

Dear Ms. Schneider,

This letter is to acknowledge receipt of the materials sent to me regarding the above referenced civil action.

Upon advice of counsel, I will not sign any documents.

Sincerely

Wyatt J. Owens P.O. Box 44

Smith, Nv 89430

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 6 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:5-28- 2008

Signature

OLFRED +

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

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(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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| 1 | IN THE UNITED STATE | ES DISTI | RICT COURT 19 2008 |
| 2 | FOR THE DISTRI | CT OF N | CLERK US DISTRICT COURT |
| ′ 3 | INITED STATES OF AMERICA, | } | DISTRICT OF NEVADA BY: DEPUTY |
| 4 | Plaintiff, | { | |
| 5 | VALKER RIVER PAIUTE TRIBE, | <u> </u> | IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, | , } | SUBFILE NO. C-125-B |
| 7 | vs. | { | |
| 8 9 | WALKER RIVER IRRIGATION DISTRICT, corporation, et al., | } | |
| 10 | NOTICE OF APPEARANCE AN | ID INTEN | T TO PARTICIPATE |
| 11 | | 1. (| econding in this case |
| 12 | 1. I hereby enter my appearance in t | | |
| 13 | 2. I am filing this document with the | e District C | Jount at the following address. |
| 14 | Chief Deputy Clerk United States District Court for the | he | |
| 15 | District of Nevada 400 South Virginia Street, Suite | 301 | |
| 16 | Reno, Nevada 89501 | m of my V | Vaiver of Service of Notice in Lieu of |
| 17 | | | valvor ox Box 1100 vi |
| 18 | Summons, I am mailing a copy of this documen | t w. | |
| 19 | Susan L. Schneider Attorney for the United States of | America | |
| 20 | United States Department of Just Environment & Natural Resource | es Division | 1 |
| 21 | P.O. Box 756 Littleton, Colorado 80160 | | |
| 22 | 1 | |) will retain all defenses or objections |
| 23 | o the lawsuit or to the jurisdiction or venue of | the court e | xcept for objections based on a defect |
| 24 | n the Notice in Lieu of Summons or in the serv | | |
| 25 | | | have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorne | y below, a | long with his or her mailing address, |
| 27 | elephone number, facsimile number, and e-mai | il address: | |
| 28 | NOTICE OF APPEARANCE AND INTENT TO | O PARTICI | PATE, page 1 of 2 |

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| 1 | Attorney: |
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| 8 | E-mail Address: |
| 9 | in and shot they are required to comply with the |
| 10 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 11 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro |
| 12 | hac vice, or who are authorized to represent the United States and its agenties had vice, or who are authorized to represent the United States and its agenties that the register as Filing Users of the System. Registration shall be in the form prescribed by the register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., |
| 13 | Clerk of the Court and by these Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
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| 18 | DEREK PAN |
| 19 | (Printed or typed Name) |
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| 21 | |
| 22 | (Entity, if any, on whose behalf you are appearing) |
| 23 | 4810 N SOLDIER TR |
| 24 | |
| 25 | (Address) (520) 300-0206 |
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1810 N Soulier Tr Lucson, AZ 85749

CHIEF DEPUTY CLERK
UNITED STATES DISTRICT COURT FOR
DISTRICT OF NEVADA
400 SOUTH VIRGINIA St, SWITE 301 RENO, NV \$9501 か大

TUCSON AZ 659



| Case 3:737 | 80000127750700100000000000000000000000000 |
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| 1 | FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD |
| 1 | |
| 2 | IN THE UNITED STATES DISTRICT COURTUN 13 2008 FOR THE DISTRICT OF NEVADA |
| 3 | CLERK US DISTRICT COURT DISTRICT OF NEVADA |
| 4 | Plaintiff, |
| 5 | WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C*125 |
| 6 | Plaintiff-Intervenor, SUBFILE NO. C-125-B |
| 7 | vs. |
| 8 <u> </u> 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., |
| 10 | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE |
| 11 | I hereby enter my appearance in this sub-proceeding in this case. |
| 12 | 2. I am filing this document with the District Court at the following address: |
| 13 | Chief Deputy Clerk |
| 14 | United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 |
| 15 | Reno, Nevada 89501 |
| 16 17 | 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of |
| 18 | Summons, I am mailing a copy of this document to: |
| 19 | Susan L. Schneider Attorney for the United States of America United States Department of Justice |
| 20 | Environment & Natural Resources Division P.O. Box 756 |
| 21 | Littleton, Colorado 80160 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections |
| . 22 | 4. I (or the entity on whose benaif I am acting) will retain an described of the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect |
| 23 | n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. |
| 24 | 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent |
| 25 | ne in these proceedings, I identify that attorney below, along with his or her mailing address, |
| 27 | s c -:ile number and e-mail address: |
| 28 | |
| | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2 |

| 1 | Attorney: |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | |
| 3 | Address: |
| 4 | |
| 5 | |
| 6 | Phone Number: |
| 7 | Fax Number: |
| 8 | E-mail Address: |
| 9 | |
| 10 | <u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
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| 12 | hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the |
| 13 | Clerk of the Court and by these Electronic Filing Procedures. U.S. Dist. Ct., D. Nev., |
| 14 | Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
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| 16 | (Signature) |
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| 18 | TREVOR PAN |
| 19 | (Printed or typed Name) |
| 20 | 6.9.08 |
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| 22. | (Entity, if any, on whose |
| 23 | behalf you are appearing) |
| 24 | TEMPE, AZ 85282 |
| 25 | (Address) |
| 26 | 150218 9121 |
| 27 | (Telephone number) |

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 13 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4 9 8

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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| 2 | IN THE UNITED STATES D FOR THE DISTRICT O | ISTRICT COURT OF NEVADA | |
| 3` | JNITED STATES OF AMERICA, |) | |
| 4 | Plaintiff, |) | |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 | |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B | |
| 7 | vs. |)) | |
| 8 | WALKER RIVER IRRIGATION DISTRICT, corporation, et al., |)) | |
| 10 | NOTICE OF APPEARANCE AND IN | TENT TO PARTICIPATE | |
| 11 | 1. I hereby enter my appearance in this su | b-proceeding in this case. | |
| 12 | I am filing this document with the Dist | rict Court at the following address: | |
| 13 14 | Chief Deputy Clerk United States District Court for the | | |
| 15 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | | |
| 16 | I | my Waiver of Service of Notice in Lieu of | |
| 17 | Summons, I am mailing a copy of this document to: | | |
| 18 | Susan L. Schneider Attorney for the United States of America | | |
| 19 20 | United States Department of Justice Environment & Natural Resources Division | | |
| 21 | P.O. Box 756 Littleton, Colorado 80160 | | |
| 22 | 4. I (or the entity on whose behalf I am ac | cting) will retain all defenses or objections | |
| 23 | o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec- | | |
| 24 | n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | | |
| 25 | 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen | | |
| 26 | me in these proceedings, I identify that attorney below, along with his or her mailing address | | |
| 27 | elephone number, facsimile number, and e-mail address: | | |
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| | TANDENE TO DAR | ericipate, page 1 of 2 | |

3-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 15 of 114 1 Attorney: 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 Signature 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 16 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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| Date: 6 /4/08 | Margaret Pauly Signature Margaret Pauly | |
|----------------------|---------------------------------------------------------|------------|
| | Printed/Typed Name | |
| | If you are acting on behalf of any entity, identify the | at you are |
| | acting as: | of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 17 of 114

| 1 | | | |
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| 2 | IN | THE UNITED STATES I FOR THE DISTRICT (| |
| 3 | UNITED STATES OF A | MERICA, |) |
| 4 | Plaintiff, | | |
| 5 | WALKER RIVER PAIU | TE TRIBE. |) IN EQUITY NO. C-125 |
| 6 | | • |) |
| 7 | | ntervenor, |) SUBFILE NO. C-125-B |
| 8 | vs. | | |
| 9 | WALKER RIVER IRRIGATION ACCEPTAGE NAME OF THE PROPERTY OF THE | GATION DISTRICT, | ·) |
| 10 | NOTICE O | F APPEARANCE AND IN | TENT TO PARTICIPATE |
| 11 | 1 711 | | |
| 12 | | nter my appearance in this sul | |
| 13 | 2. I am filing | this document with the Distr | rict Court at the following address: |
| 14 | | ites District Court for the | |
| 15 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | | |
| 16 17 | 3. In the env | elope provided for return of n | ny Waiver of Service of Notice in Lieu of |
| | Summons, I am mailing a | copy of this document to: | |
| 19 | Susan L. S Attorney f | schneider or the United States of Ameri | ica |
| 20 | United States Department of Justice Environment & Natural Resources Division | | |
| 21 | P.O. Box Littleton, (| 756 Colorado 80160 | |
| 22 | 4. I (or the er | ntity on whose behalf I am act | ting) will retain all defenses or objections |
| 23 | o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect | | |
| 24 | in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | | |
| 25 | 5. If I (or the en | ntity on whose behalf I am acti | ing) have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorney below, along with his or her mailing address, | | |
| 27 | elephone number, facsimile number, and e-mail address: | | |
| 28 | | | |
| | | | |

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 18 of 114 1 Attorney: 2 3 Address: 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 1.0 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 19 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/28/2008

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ______ of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

| 1 | | | |
|----------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|--|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | | |
| 3 | UNITED STATES OF AMERICA, |) | |
| 4 | Plaintiff, |) | |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 | |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B | |
| 7 | VS. |)) | |
| 8 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., |) | |
| 10 | NOTICE OF APPEARANCE AND IN | TENT TO PARTICIPATE | |
| 11 | 1 11 1 2 4 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 | l | |
| 12 | 1. I hereby enter my appearance in this su | • | |
| 13 | 2. I am filing this document with the Dist | rict Court at the following address: | |
| 14 | Chief Deputy Clerk United States District Court for the District of Nevada | | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | | |
| 16 | 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of | | |
| | Summons, I am mailing a copy of this document to: | | |
| 18 | Susan L. Schneider | rica | |
| 19 | Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division | | |
| 20 21 | P.O. Box 756 Littleton, Colorado 80160 | | |
| 22 | , | eting) will retain all defenses or objections | |
| 23 | o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect | | |
| 24 | in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | | |
| 25 | 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent | | |
| 26 | me in these proceedings, I identify that attorney below, along with his or her mailing address | | |
| 27 | elephone number, facsimile number, and e-mail address: | | |
| 28 | | | |
| | | | |

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 21 of 114

| E+ | |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Attorney: |
| 2 | |
| 3 | Address: |
| 4 | |
| 5 | |
| 6 | Phone Number: |
| 7 | Fax Number: |
| 8 | E-mail Address: |
| 9 | |
| 10 | <u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 11 | "Attornove who are admitted to the har of this court, admitted to participate in a case pro |
| 12 | hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the |
| 13 | Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 14 | |
| 15 | Jat Mua Jancher |
| 16 | (Signature) |
| 17 | 1 |
| 18 | JAHRICIA TEACHER |
| 19 | (Printed or typed Name) |
| 20 | |
| 21 | |
| 22 | (Entity, if any, on whose behalf you are appearing) |
| 23 24 | Pr. Box 264 |
| 25 | Vereington, NV 89447 (Address) |
| 26 | (775) 463-2715 |
| 27 | (Telephone number) |

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 22 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

| Date: 5/28/2008 | Signatura) | |
|-----------------|------------------------------------------------------------------------------|---------|
| , | Printed/Typed Name If you are acting on behalf of any entity, identify that | vou are |
| | acting as:(Title) | of |
| | (Corporate, Trust, Partnership or other entity) | |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 23 of 114

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 ne in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:7\$-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 24 of 114 Attorney: Address: Phone Number: Fax Number: E-mail Address: PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. (Printed or typed Name) (Entity, if any, on whose

(Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 25 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6-9-08

Alonzo W. Pearce, Carol M. Pearce

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Trustees

Holey, Carol M. Pearce

(Title)

Alonzow. 9 Carol M. Pearce Family Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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| Case ^{35.7} 3 | ₴₠₼₱₧₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽ | #1611/2008 Page 26 Of 1 |
| | | COUNSEL/PARTIES OF RECORD |
| 1 | | JUN 1 : 2008 Q |
| 2 | IN THE UNITED STATES DI FOR THE DISTRICT O | ISTRICT COURT OF NEVADA CLERK US DISTRICT COURT |
| 3 | UNITED STATES OF AMERICA, | DISTRICT OF NEVADA BY:DEPUTY |
| 4 | Plaintiff, |) DEFORT |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, | SUBFILE NO. C-125-B |
| 7 | |)) |
| 8 | vs. WALKER RIVER IRRIGATION DISTRICT, |)) |
| 9 | a corporation, et al., | |
| 10 | NOTICE OF APPEARANCE AND INT | TENT TO PARTICIPATE |
| 11 | 1. I hereby enter my appearance in this sub | a-proceeding in this case. |
| 12 | 2. I am filing this document with the Distri | |
| 13 | Chief Deputy Clerk | to court at the tonowing address. |
| 14 | United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | | ny Waiver of Service of Notice in Lieu of |
| 17 | Summons, I am mailing a copy of this document to: | y water or believed or a construction and a |
| 18 | Susan L. Schneider | |
| 19 | Attorney for the United States of American United States Department of Justice | ca |
| 20 | Environment & Natural Resources Divis P.O. Box 756 | sion |
| 21 | Littleton, Colorado 8016() | |
| 22 | 4. I (or the entity on whose pehalf I am act | ing) will retain all defenses or objections |
| 23 | to the lawsuit or to the jurisdiction or venue of the cou | rt except for objections based on a defect |
| 24 | n the Notice in Lieu of Summons or in the service of the | he Notice in Lieu of Summons. |
| 25 | 5. If I (or the entity on whose behalf I am acti | ng) have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorney below | v, along with his or her mailing address, |
| 27 | telephone number, facsimile number, and e-mail addres | ss: |
| 28 | | |
| | NOTICE OF APPEARANCE AND INTENT TO PARTI | CIPATE, page 1 of 2 |

| 1 | Attorney: |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | |
| 3 | Address: |
| 4 | |
| 5 | |
| 6 | Phone Number: |
| 7 | Fax Number: |
| 8 | E-mail Address: |
| و | |
| 10 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 11 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro |
| 12 | hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the |
| 13 | Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 1.4 | .1 |
| 15 | John Sen, Carol M. |
| 16 | (Signature) |
| 17 | |
| 18 | Alonzo W. Pearce, Carol M. Pearce |
| 19 | (Printed or typed Name) |
| 20 | Alonzo W.7 Carol M. Pearce Family Trust |
| 21 | Trustees |
| 22 | (Entity, if any, on whose |
| 23 | behalf you are appearing) |
| 24 | P.O. Box 169 Therenaton NV 39447 |
| 25 | Herington, NV 39447 (Address) |
| 26 | 775-463-3705 |
| 27 | (Telephone number) |
| 28 | |

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 28 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

muster Pere

Date: 2/19/03

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:78-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 29 of 114

| 1 | | |
|----------|-------------------------------------------------------------------------------------------------------|--|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | |
| 3 | UNITED STATES OF AMERICA,) | |
| 4 | Plaintiff, | |
| 5 | WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125 | |
| 6 | Plaintiff-Intervenor, SUBFILE NO. C-125-B | |
| 7 | vs. | |
| 8 | WALKER RIVER IRRIGATION DISTRICT;) | |
| 9 | a corporation, et al., | |
| 10 | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE | |
| 11 | 1. I hereby enter my appearance in this sub-proceeding in this case. | |
| 12 | I am filing this document with the District Court at the following address and as | |
| 13 | directed on the Notice In Lieu of Summons: | |
| 14 | Chief Deputy Clerk United States District Court for the | |
| 15 16 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 17 | 3. I (or the entity on whose behalf I am acting) will retain all defenses or objections | |
| 18 | to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect | |
| 19 | in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | |
| 20 | 4. If I (or the entity on whose behalf I am acting) have retained an attorney to | |
| 21 | represent me in these proceedings, I identify that attorney below, along with his or her mailing | |
| | address, telephone number, facsimile number, and e-mail address: | |
| 22 | address, telephone number, facsimile number, and e-man address. | |
| 23 | | |
| 24 | Attorney: | |
| 25 | | |
| 26 | Address: | |
| 27 | | |
| 28 | | |
| | | |

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 30 of 114

| 1 | Phone Number: |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 7 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 9 | |
| 11 | |
| 12 | |
| 13 | (Signature) |
| 14 | |
| 15 | (Printed or typed Name) |
| 16 | (Printed or typed Name) |
| 17 | |
| 18 | JAMES E PERODOY |
| 19 | (Entity, if any, on whose |
| 20 | behalf you are appearing) |
| 21 | |
| 22 | (Address) |
| 23 | (Telephone number) |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 31 of 114

| 1 | |
|----------|---------------------------------------------------------------------------------------------------------------------------------|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA |
| 3 | UNITED STATES OF AMERICA,) |
| 4 | Plaintiff, |
| 5 | WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, SUBFILE NO. C-125-B |
| 7 | vs. |
| 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., |
| 10 | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE |
| 11 | I hereby enter my appearance in this sub-proceeding in this case. |
| 12 13 | 2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons: |
| 14 | Chief Deputy Clerk |
| 15 16 | United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 |
| 17 | 3. I (or the entity on whose behalf I am acting) will retain all defenses or objections |
| 18 | to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect |
| 19 | in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. |
| 20 | 4. If I (or the entity on whose behalf I am acting) have retained an attorney to |
| 21 | represent me in these proceedings, I identify that attorney below, along with his or her mailing |
| 22 | address, telephone number, facsimile number, and e-mail address: |
| 23 | |
| 24 | Attorney: |
| 25 | |
| 26 | Address: |
| 27 | |
| 28 | |

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 32 of 114

| 1 | Phone Number: |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 6 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pr |
| 7 | hac vice, or who are authorized to represent the United States and its agencies, sha register as Filing Users of the System. Registration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., I. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
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| 13 | (Signature) |
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| 16 | (Printed or typed Name) |
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| 18 | Lorna F. Peroddy |
| 19 | (Entity, if any, on whose |
| 20 | behalf you are appearing) |
| 21 | |
| 22 | (Address) |
| 23 | (Telephone number) |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 33 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 7/26/06

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Beneficial lairest of

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 34 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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| 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit |
|--------------------------------------------------------------------------------------------------------------|
| or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu o |
| Summons or in the service of the Notice in Lieu of Summons |

Date: 5-31-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: MAMAGER

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff, 5 IN EOUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 vs. 8 WALKER RIVER IRRIGATION DISTRICT, corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. I am filing this document with the District Court at the following address: 12 2. 13 Chief Deputy Clerk United States District Court for the 14District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 16 3. 17 summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

| | Attorney: Gondon H Departi, NALE E PERGUSON |
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| 1 | WOODBURN AND WEAGE |
| 2 | POBOX 2311 |
| 3 | Address: POBOL ROW 89505 |
| 4 | 11 ch -) |
| 5 | Phone Number: 775 688 3000 |
| 6 | ~ 100.300 |
| 7 | |
| 8 | E-mail Address: |
| 9 | to the comply with the |
| 10 | <u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 11 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the |
| 12 13 | register as Filing Users of the System. Registration shall be register as Filing Users of the System. Registration shall be register as Filing Users of the System. Registration shall be register as Filing Users of the System. Registration shall be register as Filing Users of the System. Registration shall be registration and the system. Registration shall be registration and the system. Registration shall be registration shall be registration and the system. Registration shall be registration and the system of the system. Registration shall be registration and the system of the system of the system. Registration shall be registration and the system of t |
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| 18 | GARY J GARMS |
| 19 | (Printed or typed Name) |
| 20 | |
| 21 | S. C. F. F. |
| 22 | (Entity, if any, on whose |
| 23 | behalf you are appearing) Po Box 170 |
| 24 | |
| 25 | (Address) 775 465 2406 |
| 26 | (Telephone number) |
| 2 | |
| 21 | |

Case 3:73-cv-00127-MMD-CSD Document 4

US Department of Justice PO Box 756 Littleton, CO 80160-0756





TO: Preppy Vision LLC
Don L. Ross, Esq., Resident Agent
6100 Neil Road, Suite 500
Reno, NV 89511-1149

You have been named as a Defendant in

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 38 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 6/14/08 Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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3-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 39 of 114 1 Attorney: 2 Address: 3 4 r Phone Number: 6 Fax Number: 7 E-mail Address: 3 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address)

(Telephone number)

26

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 40 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 4/14/08

Signature
Themas

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3: 3-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 41 of 114

| Attorney: |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| |
| Address: |
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| Phone Number: |
| Fax Number: |
| E-mail Address: |
| ·· |
| PLEASE NOTE: Attorneys are reminded that they are required to comply with the |
| electronic filing procedures of the U.S. District Court for District of Nevada. |
| "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall |
| register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., |
| Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| AAM PALIG |
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| (Printed or typed Name) |
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| (Entity, if any, on whose |
| behalf you are appearing) |
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| (Address) |
| |
| (Telephone number) |
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1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Nonce in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. б ownership: 7 Name(s): 8 9 Street or P.O. Box: 10 11 Town or City: 12 13 State: 14 15 Zip Code: 16 The name and address of each person or entity who acquired ownership 2. 17 18 Name(s): 19 20 21 Street or P.O. Box: 22 23 Town or City: 24 25 State: 26 27 Zip Code: 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2

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| | 2 |
| | 3. Attached to or included with this notice is a copy of the (check appropriate |
| | box(es)): |
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| (| Deed . |
| - | Court Order |
| . 8 | Other Document. |
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| 10 | by which the change in any auti- |
| 21 | A The understand referents to the |
| 12 | A Clarent and the second and the sec |
| 13 | the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, |
| 14 | in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of |
| 15 | this litigation. |
| 16 | |
| <u> </u> | Executed this 25 day of JWE 200 8. |
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| 20 | with five parties |
| 27 | The mark of the second of the |
| 22 | |
| 23 | [signature of counter-defendant] |
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| 24 | of the own |
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| 26 | [name of counter-defendant] |
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| 28 | |

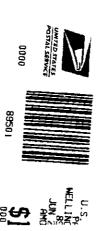
DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] POB 83 WELLINGTON NV 89444 [address] _7 725 - 465 - 2404 [telephone number]

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION,

Case^{C3:73:73:73:66:00127=MNMOMC SOODORUMAEIN 4114166312931/089948654600744 EXXXX Z Z SGENT SOURCE SOODORUMAEIN 4114166312931/089948654600744}

LINDA LEA SHARER, CHIEFT DEPUTY CLERK
UNITED STATES DISTRICT COURT DISTRICT OF NEWA
400 S VIRGINIA STREET, SUITE 301 REND NU 89501



Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 47 of 114

7 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 Plaintiff, 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor, WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 48 of 114

| | water rights that the undersigned (or the entity on whom had a low | | |
|------|--------------------------------------------------------------------------------------------------|--|--|
| | water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once | | |
| - | owned before the undersigned was served with a Waiver of Service of Notice in Lieu of | | |
| 4 | Summons or by a Notice in Lieu of Summons, the undersigned provides the following | | |
| 2 | additional information: | | |
| . 6 | 1. The name and address of the party or parties who sold or otherwise conveyed | | |
| - | ownership: | | |
| . 8 | Name(s): | | |
| 9 | | | |
| | Street or P.O. Box: | | |
| 10 | | | |
| 11 | Tone or Circ | | |
| 12 | Town or City. | | |
| 13 | | | |
| 14 | State: | | |
| . 15 | | | |
| 16 | Zip Code: | | |
| 17 | 2. The name and address of each person or entity who acquired ownership | | |
| 18 | | | |
| 19 | Name(s): | | |
| 20 | | | |
| 21 | | | |
| 22 | Street or P.O. Box: | | |
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| 24 | Town or City: | | |
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DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

| Case 3:7 | 3-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 49 of 114 |
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| | 1 |
| - | 3. Attached to or included with this notice is a copy of the (check appropriate |
| | box(es)): |
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| 20 | Note to Heave |
| 21 | Note the waren or trong [signature of counter-defendant] |
| 22 | [signature of counter-defendant] |
| 23 | pu w |
| | |
| 25 | SHARON POERTA |
| 26 | [name of counter-defendant] |
| 27 | |

Case 3:73 cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 50 of 114

[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

pos 83 Wenneron NV Pany

[address]

775-465-2404

[telephone number]

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 51 of 114

U.S. DEFT. OF JUSTICE WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS PAT. RES. DIV. DENVER, CO

Susan L. Schneider, attorney for the United States of America TO:

2008 NOV 10 PM 1: 10

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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| t 1 151 am acting) will retain | in all defenses or objections to the lawsuit |
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| Summons or in the service of the Notice in Lieu of Summons. | X //1 |
| Summons of the delivier of the real | |

Date: Nov. 3 2006

WILLIAM W. NICHOLS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

220 Stenism Creek G acting as: (Title)

Corporate, Trust, Partnership or other entity)

Ref: Upper County SAC Corporate of Notice in Lieu of Summons

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 52 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

| Date: 7-12-08 | Signature Printed/Typed Name | |
|---------------|------------------------------------------------------------|--------|
| | T T | |
| | If you are acting on behalf of any entity, identify that y | ои ате |
| | acting as: | of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 53 of 114

| 1 | | |
|--------|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 2 | IN THE UNITED STATES FOR THE DISTRICT | |
| 3 | UNITED STATES OF AMERICA, |) |
| 4 | Plaintiff, |) |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | VS. | |
| 8 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | |
| 10 | NOTICE OF APPEARANCE AND II | NTENT TO PARTICIPATE |
| 11 | 1. I hereby enter my appearance in this s | ub-proceeding in this case. |
| 12 | 2. I am filing this document with the Dis | strict Court at the following address: |
| 13 | Chief Deputy Clerk | |
| 14 | United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | 3. In the envelope provided for return of | my Waiver of Service of Notice in Lieu of |
| 17 | Summons, I am mailing a copy of this document to: | |
| 18 | Susan L. Schneider | |
| 19 | Attorney for the United States of Ame United States Department of Justice Environment & Natural Resources Di | |
| 20 | P.O. Box 756 | VISIOII |
| 21 | Littleton, Colorado 80160 | |
| 22 | | ecting) will retain all defenses or objections |
| 23 | o the lawsuit or to the jurisdiction or venue of the co | • |
| 24 | n the Notice in Lieu of Summons or in the service of | f the Notice in Lieu of Summons. |
| 25 | 5. If I (or the entity on whose behalf I am a | cting) have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorney belo | ow, along with his or her mailing address, |
| 27 | elephone number, facsimile number, and e-mail add | ress: |
| 28 | | |
| | NOTICE OF APPEARANCE AND INTENT TO PAR | TICIPATE, page 1 of 2 |

-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 54 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 Theland Flave 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24

(Telephone number)

25

26

27

28

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 55 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 56 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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| | Pathy Kenner | |
|-------------------|--------------------------------------------------------------|------|
| Date: May 30-2008 | Signature AHy RAMirez | |
| | Printed/Typed Name | |
| | If you are acting on behalf of any entity, identify that you | are |
| | acting as: | _ of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 57 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO. DIV.

2000 DEC -5 AM 11: 17

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: /2-/-08

MEY REASOUEK

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 58 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONSENY, & NAT. RES. DIV. DENYER, CO

TO: Susan L. Schneider, attorney for the United States of America

2008 DEC -5 AM 11: 17

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Signature

Date: 12-1-01

Duine and /Trans at Nissan

ANTHA REASONER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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| Case ^{3:73} | 3v~00127FRRMOMCSOUDSCUMBENT FIRE | COUNSEL/PARTIES OF RECORD |
|----------------------|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 1 | TARLE ADUTED STATES DIS | AUG - 5 2008 |
| 2 | IN THE UNITED STATES DIS FOR THE DISTRICT OF | NEVADAERX HS DISTRICT COURT DISTRICT OF NEVADA |
| 3 | UNITED STATES OF AMERICA, | BY. DEPUTY |
| 4 | Plaintiff, | |
| 5 | WALKER RIVER PAIUTE TRIBE, | IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, | SUBFILE NO. C-125-B |
| 7 | vs. | , |
| 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., |)) |
| 10 | NOTICE OF APPEARANCE AND INT | ENT TO PARTICIPATE |
| 11 | 1. I hereby enter my appearance in this sub | p-proceeding in this case. |
| 12 | I hereby enter my appearance in this sub- I am filing this document with the District | |
| 13 | directed on the Notice In Lieu of Summons: | |
| 14 | Chief Deputy Clerk United States District Court for the | |
| 15 16 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 17 | 3. I (or the entity on whose behalf I am actin | ng) will retain all defenses or objections |
| 18 | to the lawsuit or to the jurisdiction or venue of the cour | |
| 19 | in the Notice in Lieu of Summons or in the service of | |
| 20 | 4. If I (or the entity on whose behalf I a | m acting) have retained an attorney to |
| 21 | represent me in these proceedings, I identify that attorn | ney below, along with his or her mailing |
| 22 | address, telephone number, facsimile number, and e-r | nail address: |
| 23 | | |
| 24 | Attorney: | |
| 25 | į. | |
| 26 | Address: | |
| 27 | | |
| 28 | | |
| | NOTICE OF APPEARANCE AND INTENT TO PARTIC | CIPATE (service), page 1 of 2 |

Case^{C3}?73-76v-00127-75-771\70-CSD Document 1390nt Filed 12/31/089-286 60 of 114

| 1 | Phone Number: |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | • |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 6 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro |
| 7 | hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 9 | 14Cv., Liconome i ling i lococaro (101111-610-1) |
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| 11 | O de TO hear |
| 12 | auth J. Robust |
| 13 | (Signature) |
| 14 | O-TU. D. Prop Mar |
| 15 | (Printed or typed Name) |
| 16 | (1 miles es sypes (miles) |
| 17 | |
| 18 | (Entity, if any, on whose |
| 19 | behalf you are appearing) |
| 20 | RO MILEY ICD YERUNGION N.V. |
| 21 | (Address) |
| 22 | 781-7337 |
| 23 | (Telephone number) |
| 24 | |
| 25 | |
| 26 | |
| 27 | |

ARTHUR LEERREDMON

RO MILEY RD.

04 AUG 2008 PM 3 T

MINIO NA COS

400 South VIRGINIA STREET SUTTE 301 DISTRICT OF NEVADA UNITED STATES DISTRICT COURT FOR THE CHIEC DEPUTY CLERKS

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|--------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| : | Svenoviziter Firm Police Commentation Files | 28/05/2008 1/0899 1 of 3 62 of 11 ENTERED SERVED ON COUNSEL/PARTIES OF RECORD |
| 1 | | AUG 5 2008 |
| 2 | IN THE UNITED STATES DIS FOR THE DISTRICT OF | STRICT COURT 5 2000 |
| 3 | • | CLEAR HE DIGITAL COURT |
| 4 | UNITED STATES OF AMERICA, |) DISTRICT OF HEVADA PY OR DEPUTY |
| 5 | Plaintiff, | } |
| | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, | SUBFILE NO. C-125-B |
| 7 | vs. | ĺ |
| 8 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | } |
| 10 | NOTICE OF APPEARANCE AND INT | ENT TO PARTICIPATE |
| 11 | | |
| 12 | I hereby enter my appearance in this sub | |
| 13 | I am filing this document with the Distriction of the Notice In Lieu of Summons: | ct Court at the following address and as |
| İ | Chief Deputy Clerk | |
| 14 | United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | | no) will retain all defenses or objections |
| 17 | I (or the entity on whose behalf I am action to the lawsuit or to the jurisdiction or venue of the court | |
| 18 | | |
| 19 | in the Notice in Lieu of Summons or in the service of | |
| 20 | 4. If I (or the entity on whose behalf I at | |
| 21 | represent me in these proceedings, I identify that attorn | |
| 22 | address, telephone number, facsimile number, and e-n | nail address: |
| 23 | | |
| 24 | Attorney: | |
| 25 | | |
| 26 | Address: | |
| 27 | | |
| 28 | · | |
| · · | NOTICE OF APPEARANCE AND INTENT TO PARTIC | CIPATE (service), page 1 of 2 |

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Case 3: 73 10 4 400 127 FARM DM C 9 D 4 0 0 0 1 1 1 4

| 1 | Phone Number: |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 6 | "A transport to are admitted to the bar of this court, admitted to participate in a case pro |
| 7 | hac vice, or who are authorized to represent the United States and its agencies, shall have a state of the System. Pagistration shall be in the form prescribed by |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 9 | Mey., Electionic Fining Frocedures (1011111111111111111111111111111111111 |
| 10 | |
| 11 | |
| 12 | Sutter |
| 13 | (Signature) |
| 14 | 17. Daniel |
| 15 | (Printed or typed Name) |
| 16 | (1 fillion of typen 1 times) |
| 17 | |
| 18 | (Entity, if any, on whose |
| 19 | behalf you are appearing) |
| 20 | 20 Mills Ed |
| 21 | (Address) |
| 22 | 775781-2641 |
| 23 | (Telephone number) |
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| 27 | |



District Nurak NO S. VIrsina St. Switz 34

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 65 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 6-17-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 66 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-18-08

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 67 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-14-08

If you are acting on behalf of any entity, identify that you are acting as: Surving Spouse of

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-23-009127-1010109-000001114-012091/08-12091/08-1209127-1010109-00001114

| | | 1 | CASE MANAGEMENT ORDER issued herein on the 18th day of April, 2000. |
|-----------------------------------------------------------------------------------------------------------------------------|--------------------|----|---------------------------------------------------------------------|
| | | 2 | DATED THIS 7th day of November, 2008. |
| | | 3 | LAW OFFICES OF |
| | | 4 | JOHN P. SCHLEGELMILCH, LTD. |
| | | 5 | /s/ John P. Schlegelmitch JOHN P. SCHLEGELMILCH, ESQ. |
| | | 6 | State Bar # 4379 |
| | | 7 | 30 Broadway Ave. Yerington, NV 89447 |
| | | 8 | |
| | 3-3373 | 9 | |
| | | 10 | |
| | | 11 | |
| Ltd. | Fx: (775) 463-3373 | 12 | |
| Law Uffices of John P. Schiegeimilch, Lld. A Professional Law Corporation 30 Broadway Avenue Varinaton Navoda 8047 | Fx: | 13 | |
| niegeir orporatio emue 80447 | /++ | 14 | |
| es of John F. Schlegell Professional Law ("orporatic 30 Broadway Avenue Varington Manada 80447 | ngton, Nevada | 15 | |
| y John Jessiona O Broad inaton | | 16 | |
| Iffices (| | 17 | |
| 195 D. | Ph: (775) 463-3371 | 18 | |
| | (775) 4 | 19 | |
| | Ph. | 20 | |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 70 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

| - <i>a</i> n | Lew Sukardson | |
|-----------------|------------------------------------------------------------|--------|
| Date: $9-12-08$ | Signature | |
| | BANY KICHARDSON | |
| | Printed/Typed Name | |
| | If you are acting on behalf of any entity, identify that y | ou are |
| | acting as: | of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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|----------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| ٠. | ` | ENTERED SERVED ON COUNSEL/PARTIES OF RECORD | | | |
| | 1 | No No | | | |
| | 2 | IN THE UNITED STATES DISTRICT COURT | | | |
| | 3 | FOR THE DISTRICT OF NEVADA UNITED STATES OF AMERICA UNITED STATES OF AMERICA OBSTRICT OF NEVADA DISTRICT OF NEVADA | | | |
| | 4 | TY. DEPUTY | | | |
| | 5 | Plaintiff, | | | |
| | 6 | WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 | | | |
| | 7 | Plaintiff-Intervenor, SUBFILE NO. C-125-B | | | |
| | 8 | VS.) | | | |
| | 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | | | |
| | 10 | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE | | | |
| | 11 | I hereby enter my appearance in this sub-proceeding in this case. | | | |
| | 12 | | | | |
| | 13 | 2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons: | | | |
| | 14 | Chief Deputy Clerk United States District Court for the | | | |
| 15 | District of Nevada 400 South Virginia Street, Suite 301 | | | | |
| | 16 | Reno, Nevada 89501 | | | |
| | 17 | 3. I (or the entity on whose behalf I am acting) will retain all defenses or objections | | | |
| | 18 | to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect | | | |
| | 19 | in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | | | |
| and magnification of | 20 | 4. If I (or the entity on whose behalf I am acting) have retained an attorney to | | | |
| | 21 | represent me in these proceedings, I identify that attorney below, along with his or her mailing | | | |
| | 22 | address, telephone number, facsimile number, and e-mail address: | | | |
| | 23 | • | | | |
| | 24 | Attorney: | | | |
| • | 25 | | | | |
| | 26 | Address: | | | |
| | 27 | | | | |
| | 28 | | | | |
| • | | NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2 | | | |

- Case^C35737で200127年例がからいでいたい計画は相呼ばれる012/31/089月296372 of 114

| 1 | Phone Number: 775 463 2437 |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: 175 463-4421 |
| 3 | E-mail Address: MAMHONDFURN C. HOTMAN. COM |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. |
| 6 | |
| 7 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall project as Filing Hors of the System. Posistantian shall be in the form proposition that |
| 8 | register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 9 | Nev., Electronic Filing Procedures (rev. Aug. 24, 2000) at i.C. |
| 10 | |
| 11 | |
| 12 | Judy Siddle |
| 1.3 | (Signature) |
| 14 | |
| 15 | JUBY A. RIDDLE |
| 16 | (Printed or typed Name) |
| 17 | · · · · · · · · · · · · · · · · · · · |
| 18 | |
| 19 | (Entity, if any, on whose behalf you are appearing) |
| 20 | Yez myran, NV. |
| 21 | 20 S. MAIN ST. 89447 |
| 22 | (Address) 775-463-2437 |
| 23 | (Telephone number) |
| 24 | |
| 25 | |
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3 Just Risone 7.05. MANN S.

29 JUL 2008 PM 3-T BOR ONES

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 74 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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| 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit |
|---------------------------------------------------------------------------------------------------------------|
| or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of |
| Summons or in the service of the Notice in Lieu of Summons. |

Date: 3 - 30 - 08

Signature Ruth E. Rink

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Irustee (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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| 1 | · | |
|----------|----------------------------------------------------------------------------|--------------------------------------------|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | |
| 3 | UNITED STATES OF AMERICA, |) . |
| 4 | Plaintiff, |)) |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | vs. | |
| 8 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | |
| 10 | NOTICE OF APPEARANCE AND INT | ENT TO PARTICIPATE |
| 11 | . , . , | 12 - 1 - A1 2 |
| 12 | I hereby enter my appearance in this sub | - |
| 13 | 2. I am filing this document with the Distri | ct Court at the following address: |
| 14 | Chief Deputy Clerk United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | 3. In the envelope provided for return of m | y Waiver of Service of Notice in Lieu of |
| 17 18 | Summons. I am mailing a copy of this document to: | |
| 19 | Susan L. Schneider Attorney for the United States of Americ | |
| 20 | United States Department of Justice Environment & Natural Resources Divis | |
| 21 | P.O. Box 756 Littleton, Colorado 80160 | 1011 |
| ļ | 4. I (or the entity on whose behalf I am acti | ng) will retain all defenses or objections |
| 22 | | |
| 23 | to the lawsuit or to the jurisdiction or venue of the court | • |
| ì | in the Notice in Lieu of Summons or in the service of th | |
| 25 | 5. If I (or the entity on whose behalf I am actir | |
| 26 | me in these proceedings, I identify that attorney below, | along with his or her mailing address, |
| 27 | telephone number, and facsimile number: | |
| 28 | | |

Case 3:78-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 76 of 114

| 1 | | |
|----|---------------|--------------------------------------------|
| 1 | Attorney: | |
| 2 | | |
| 3 | Address: | |
| 4 | | |
| 5 | | |
| 6 | Phone Number: | |
| 7 | Fax Number: | x Auth & Riska |
| 8 | | X JANON Z RIMA |
| 9 | | (Signature) |
| 10 | | |
| 11 | | RUTH E. RINK, individual |
| 12 | | (Printed or typed Name) and as Trustel of |
| 13 | | and as Truster of |
| 14 | | Ruth E. RINK 2002 |
| 15 | | (Entity, if any, on whose Trust |
| 16 | | behalf you are appearing) 366 Somerset Dr. |
| 17 | | Carson City, NV 8970 |
| 18 | | (Address) |
| 19 | | (775) 720-0908 (Telephone number) |
| 20 | | (Telephone number) |
| 21 | | |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 77 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 05-30-2008

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 78 of 114

| 1 | | | |
|----|----------------------------------------------------------------------------------|----------------------------------------------|--|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | | |
| 3 | UNITED STATES OF AMERICA, |) | |
| 4 | Plaintiff, |)) | |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 | |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B | |
| 7 | |) | |
| 8 | VS. |) | |
| 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | } | |
| 10 | NOTICE OF APPEARANCE AND IN | TENT TO PARTICIPATE | |
| 11 | I hereby enter my appearance in this su | b-proceeding in this case. | |
| 12 | 2. I am filing this document with the Dist | rict Court at the following address: | |
| 13 | Chief Deputy Clerk United States District Court for the | | |
| 15 | District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | | |
| 16 | , | ny Waiver of Service of Notice in Lieu of | |
| 17 | Summons, I am mailing a copy of this document to: | | |
| 18 | Susan L. Schneider | | |
| 19 | Attorney for the United States of America United States Department of Justice | | |
| 20 | Environment & Natural Resources Division P.O. Box 756 | | |
| 21 | Littleton, Colorado 80160 | | |
| 22 | 4. I (or the entity on whose behalf I am ac | ting) will retain all defenses or objections | |
| 23 | o the lawsuit or to the jurisdiction or venue of the cou | art except for objections based on a defect | |
| 24 | n the Notice in Lieu of Summons or in the service of | the Notice in Lieu of Summons. | |
| 25 | 5. If I (or the entity on whose behalf I am act | ing) have retained an attorney to represent | |
| 26 | me in these proceedings, I identify that attorney below | w, along with his or her mailing address, | |
| 27 | elephone number, facsimile number, and e-mail address: | | |
| 28 | | | |

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 79 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 Alison J. Roberts 15 16 1.7 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 80 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-29-2008

Signature

W. //am B. Roberts

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 81 of 114

| 1 | | |
|----|------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 2 | IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | |
| 3 | UNITED STATES OF AMERICA, |) |
| 4 | Plaintiff, |)) |
| 5 | WALKER RIVER PAIUTE TRIBE, |)) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | |) |
| 8 | VS. |) |
| 9 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., |)) |
| 10 | NOTICE OF APPEARANCE AND INT | TENT TO PARTICIPATE |
| 11 | I hereby enter my appearance in this sub | p-proceeding in this case. |
| 12 | 2. I am filing this document with the Distr | ict Court at the following address: |
| 13 | Chief Deputy Clerk United States District Court for the | |
| 14 | District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | 3. In the envelope provided for return of m | ny Waiver of Service of Notice in Lieu of |
| 17 | Summons, I am mailing a copy of this document to: | |
| 18 | Susan L. Schneider | |
| 19 | Attorney for the United States of Ameri United States Department of Justice Environment & Natural Resources Divi | |
| 20 | P.O. Box 756 | Sion |
| 21 | Littleton, Colorado 80160 | |
| 22 | · | ing) will retain all defenses or objections |
| 23 | o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect | |
| 24 | n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. | |
| 25 | 5. If I (or the entity on whose behalf I am act | ing) have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorney below | v, along with his or her mailing address, |
| 27 | elephone number, facsimile number, and e-mail addre | ss: |
| 28 | | |
| | NOTICE OF APPEARANCE AND INTENT TO PART | ıсıрате, раде 1 of 2 |

-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 82 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 1.0 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23

POB 2, 68 Pinon Dr.

Address) Wellington NV 89444

775 - 465 - 935/

(Telephone number)

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 83 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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| Date: Dec 5, 2008 | Gudith Curry Robinson AKH Gudith Mouskach Signature Judith Curry Robinson AKH Judith MANSBACH |
|-------------------|--------------------------------------------------------------------------------------------------|
| | Printed/Typed Name |
| | If you are acting on behalf of any entity, identify that you are |
| | acting as: of |
| | (Title) |
| | (Corporate, Trust, Partnership or other entity) |

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

1560 ORAMAS RD SANTA BARBARA, CA 93103 histed as Judith Mausbach

3-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 84 of 114 & NAT. REST DENVER. CO IN THE UNITED STATES DISTRICT COURT 2000 DEC -8 PM 12:149 FOR THE DISTRICT OF NEVADA 3 NITED STATES OF AMERICA. 4 Plaintiff, 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 VALKER RIVER IRRIGATION DISTRICT, corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 4 Filed 12/31/08 Page 85 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 1.0 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 listed as Judith Hausbach meorectly 16 (Signature) 17 TUDITH CURRY ROBINSON 1560 ORAMAS AD 18

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| 1 | | FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD |
| 2 | IN THE UNITED STATES DISTR FOR THE DISTRICT OF N | ICT COURTAY 3 6 |
| 3 | UNITED STATES OF AMERICA, | CLERK US DISTRICT COURT |
| 4 |) Plaintiff, | DISTRICT OF NEVADA BY: DEPUTY |
| 5 | WALKER RIVER PAIUTE TRIBE, | IN EQUITY NO. C-125 |
| 6 |) Plaintiff-Intervenor, | SUBFILE NO. C-125-B |
| 7 | vs.) | |
| 8 | WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,) | |
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| 12 | 2. I am filing this document with the District Co | |
| 13 | Chief Deputy Clerk | |
| 14 | United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | In the envelope provided for return of my W | aiver of Service of Notice in Lieu of |
| 17 | Summons, I am mailing a copy of this document to: | |
| 18 | Susan L. Schneider | |
| 19 | Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division | |
| 20 | P.O. Box 756 Littleton, Colorado 80160 | |
| 21 | 4. I (or the entity on whose behalf I am acting) | will retain all defenses or objections |
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| 24 | n the Notice in Lieu of Summons or in the service of the N | |
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| | NOTICE OF APPEARANCE AND INTENT TO PARTICII | PATE, page 1 of 2 |

Case 3.7 \$ 726 \$ 1/08 Page 87 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. 10 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro 11 hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the 12 Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 13 14 Jun Back 15 (Signature) 16 17 JAmes Roche 18 (Printed or typed Name) 19 20 21

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(Entity, if any, on whose

behalf you are appearing)

(Telephone number)

(Address)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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| J'm not war it and | Printed/Typed Name If you are acting on behalf of any entity, identify that | von are |
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Page 4 of 5 Filed 05/30/2008 Case 3:73-cv-00127-ECR-RAM Document 1338 E Sample Disk **美国教育政治**(特别的特点 the and the said (4 2007 NVN 90



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Filed 05/30/2008 Page 5 of 5 Case 3:73-cv 00127-ECR-RAM Document 1338

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 91 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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| Date: 05 26108 | Signature Twice A. Roeder Printed/Typed Name | |
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| | If you are acting on behalf of any entity, identify that | it you are |
| | acting as: | of |
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| ı | Attorney: |
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| 10 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the |
| 11 | electronic filing procedures of the U.S. District Court for District of Advances |
| 12 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have prescribed by the |
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| 13 | Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 14 | |
| 15 | July A. Vieles |
| 16 | (Signature) |
| 17 | |
| 18 | Julia A. Roeder |
| 19 | (Printed or typed Name) |
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| 21 | |
| 22 | (Entity, if any, on whose |
| 23 | behalf you are appearing) 1435 12-8 |
| 24 | Jennaton of 89447 |
| 25 | (Address) |
| 26 | 775-463-1213 (Telephone number) |
| 27 | (Telephone number) |
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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 94 of 114

Case 3:73-cv-00127-ECR-RAM

Document 1342

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Page 3 of 3



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M SOUTH TO SOUTH

400 SOUTH VIRGINIA ST, SUITE 301 US DISTRICT COURT FOR THE CHIEF DEPUTY CLERK DISTRICT OF NEVADA RENO, NEVADA 89501

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YERINGTON, NV 89447 JULIA A ROEDER 1435 HWY 208

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 95 of 114

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Date: 5-26-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 9:73 4 0 00127 F. R. R. M. M. C. S. P. W. C. S. P

| Attorney: |
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| Address: |
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| Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
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| Rould R Room |
| (Signature) |
| |
| Ronald R Roeder |
| (Printed or typed Name) |
| |
| |
| (Entity, if any, on whose |
| behalf you are appearing) |
| 1435 Hwy 208 Yenjuster, NV. 89447 (Address) |
| (Address) |
| 775-463-12/3 |
| (Telephone number) |
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Page 3 of 3 Case 3:73-cv-00127-ECR-RAM Document 1336 Filed 06/03/2008 RENO NV 89 <u>∑</u> 29 MAY 2008 2月12十10月月日

> RONAĽD R ROEDER 1435 HWY 208 YERINGTON, NV 89447

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 99 of 114

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TO: Susan L. Schneider, attorney for the United States of America

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Sept. 11, 2008

Signature

Br. Matthew Cunningham

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Chancellor of

Roman Catholic Bishop of Reno, and His Successors, a corporation sole

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3.73 25 00 122 7- 100 MM-C SB 100 of 114

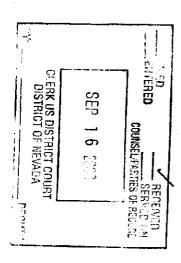
1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Plaintiff, 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. 1 am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons: 13 Chief Deputy Clerk 14 United States District Court for the District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 3. I (or the entity on whose behalf I am acting) will retain all defenses or objections 17 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 18 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 19 20 If I (or the entity on whose behalf I am acting) have retained an attorney to 21 represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address: 22 23 FILED RECEIVED ENTERED N/A Attorney: 24 SERVED ON COUNSEL/PARTIES OF RECORD 25 16 Address: 26 27 CLERK US DISTRICT COURT 28 BY: DEPUTY

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

1 100

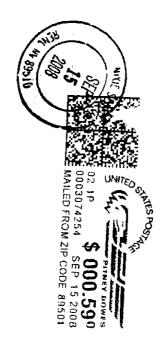
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| 1 | Phone Number: | |
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| 2 | Fax Number: | |
| 3 | E-mail Address: | |
| 4 | | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. | |
| 6 | | |
| 7 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by | |
| 8 | the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. | |
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| 12 | Broth mothe Complan | |
| 13 | (Signature) | |
| 14 | | |
| 15 | Br. Matthew Cunningham | |
| 16 | (Printed or typed Name) | |
| 17 | Roman Catholic Bishop of Reno, | |
| 18 | and His Successors, a corporation sole | |
| 19 | (Entity, if any, on whose | |
| 20 | behalf you are appearing) | |
| | 290 S. Arlington Ave., Ste. 200 | |
| 21 | Reno, NV 89501 (Address) | |
| 22 | (775) 329–9274 | |
| 23 | (Telephone number) | |
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Re nan Catholic Diccese of Reno 29⊌ N. Ariington Ave., Suit€ 200 Reno, NV 89501

Chief Deputy Clerk
U..S. District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501



Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 103 of 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Signature

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 104 of 114

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| Date: <u>6/1/08</u> | - Hinon & Roma | |
|---------------------|----------------------------------------------------------|---------|
| | Signature Diane, R. Romano | |
| | Printed/Typed Name | |
| | If you are acting on behalf of any entity, identify that | vou are |
| | acting as: | of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 12/31/08 Page 105 of 114

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| D. F 28-50 | Ken Romano | |
|---------------|----------------------------------------------------------|---------|
| Date: 5-28-08 | Signature KEN ROMANO | |
| | Printed/Typed Name | |
| | If you are acting on behalf of any entity, identify that | you are |
| | acting as: | of |
| | (Title) | |
| | (Corporate, Trust, Partnership or other entity) | |

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| 1 | THE PARTY VINIVENIUM CORE A STEEL OF DEPARTMENT OF THE PARTY OF THE PA | MAY 2 9 2008 |
| 2 | IN THE UNITED STATES D FOR THE DISTRICT O | OF NEVADA CLERK US DISTRICT COURT |
| 3 | INITED STATES OF AMERICA, | DISTRICT OF NEVADA DEPUTY |
| 4 | Plaintiff, |) |
| 5 | WALKER RIVER PAIUTE TRIBE, |) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | vs. |)) |
| 8 | WALKER RIVER IRRIGATION DISTRICT, |) } |
| 9 | corporation, et al., | |
| 10 | NOTICE OF APPEARANCE AND IN | TENT TO PARTICIPATE |
| 11 | I hereby enter my appearance in this sul | b-proceeding in this case. |
| 12 | 2. I am filing this document with the Distr | rict Court at the following address: |
| 13 | Chief Deputy Clerk | |
| 14 | United States District Court for the District of Nevada | |
| 15 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 16 | 3. In the envelope provided for return of n | ny Waiver of Service of Notice in Lieu of |
| 17 | Summons, I am mailing a copy of this document to: | |
| 18 | Susan L. Schneider | |
| 19 | Attorney for the United States of Ameri United States Department of Justice | |
| 20 | Environment & Natural Resources Divi P.O. Box 756 | ision |
| 21 | Littleton, Colorado 80160 | |
| 22 | i i | ting) will retain all defenses or objections |
| 23 | o the lawsuit or to the jurisdiction or venue of the cou | |
| 24 | n the Notice in Lieu of Summons or in the service of t | the Notice in Lieu of Summons. |
| 25 | 5. If I (or the entity on whose behalf I am act | ing) have retained an attorney to represent |
| 26 | me in these proceedings, I identify that attorney below | w, along with his or her mailing address, |
| 27 | elephone number, facsimile number, and e-mail addre | ess: |
| 28 | | |
| | NOTICE OF APPEARANCE AND INTENT TO PART | TCIPATE, page 1 of 2 |

Case 3:73 3 0 00127 MNR CSD DO DO CUMENT 4 FILE 0 12/31/08 Page 107 of 114

| 1 | Attorney: |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | |
| 3 | Address: |
| 4 | |
| 5 | |
| 6 | Phone Number: |
| 7 | Fax Number: |
| 8 | E-mail Address: |
| 9 | |
| 10 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the |
| 11 | electronic filing procedures of the U.S. District Court for District of Nevada. |
| 12 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall be in the form processived by the |
| 13 | register as Filing Users of the System. Registration shall be in the fold prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., |
| 14 | Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. |
| 15 | Ken Romano |
| 16 | |
| 17 | (Signature) |
| 18 | |
| 19 | KEN ROMANO |
| 20 | (Printed or typed Name) |
| 21 | |
| ĺ | |
| 22 | (Entity, if any, on whose behalf you are appearing) |
| 23 | 1233 Huy 208 |
| 24 | Yerington NV 89447 |
| 25 | (Address) 775 - 463 -2474 |
| 26 | (Telephone number) |
| 27 | |

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is district Court for the District of Nevada 400 So. Virginia St Suite 30. Remo NV 89501

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|--------------------------|--------------------------------------------------------------|----------------------------------------------------|
| • | | FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD |
| 1 | | |
| 2 | IN THE UNITED STATES D FOR THE DISTRICT O | DISTRICT COUR UL 2 4 2008 |
| 3 | UNITED STATES OF AMERICA, | CLERK US DISTRICT COURT DISTRICT OF NEVADA |
| 4 | Plaintiff, | BY:DEPUTY |
| 5 | WALKER RIVER PAIUTE TRIBE, |)) IN EQUITY NO. C-125 |
| 6 | Plaintiff-Intervenor, |) SUBFILE NO. C-125-B |
| 7 | vs. | } |
| 8 | WALKER RIVER IRRIGATION DISTRICT, | |
| 9 | a corporation, et al., | ' |
| 10 | NOTICE OF APPEARANCE AND IN | TENT TO PARTICIPATE |
| 11 | I hereby enter my appearance in this su | sh proceeding in this case |
| 12 | | ict Court at the following address and as |
| 13 | directed on the Notice In Lieu of Summons: | ict Court at the following address and as |
| 14 | Chief Deputy Clerk United States District Court for the | |
| 15 | District of Nevada | |
| 16 | 400 South Virginia Street, Suite 301 Reno, Nevada 89501 | |
| 17 | 3. I (or the entity on whose behalf I am acti | ng) will retain all defenses or objections |
| 18 | to the lawsuit or to the jurisdiction or venue of the cour | rt except for objections based on a defect |
| 19 | in the Notice in Lieu of Summons or in the service of | the Notice in Lieu of Summons. |
| 20 | 4. If I (or the entity on whose behalf I a | m acting) have retained an attorney to |
| 21 | represent me in these proceedings, I identify that attorn | ney below, along with his or her mailing |
| 22 | address, telephone number, facsimile number, and e-r | nail address: |
| 23 | | |
| 24 | Attorney: | |
| 25 | | |
| 26 | Address: | |
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| | NOTICE OF APPEARANCE AND INTENT TO PARTIC | CIPATE (service), page 1 of 2 |

Case^C3:73:74FeV00127FENINADMCSPOUDECUTTIENT FILE (1200) 1/089Page 110 of 114

| 1 | Phone Number: |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Fax Number: |
| 3 | E-mail Address: |
| 4 | |
| 5 | PLEASE NOTE: Attorneys are reminded that they are required to comply with the |
| 6 | electronic filing procedures of the U.S. District Court for District of Nevada. |
| 7 | "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall |
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| 16 | (Printed or typed Name) |
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| 19 | (Entity, if any, on whose behalf you are appearing) |
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| 1 | Attorney: |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| 3. | Address: |
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| 6 | Phone Number: |
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| 15 | Rowa 11- Rowly |
| 16 | (Signature) |
| 17 | |
| 18 | ROBERT H. HOWLEY |
| 19 | (Printed or typed Name) |
| 20 | |
| 21 | |
| 22 | (Entity, if any, on whose |
| 23 | behalf you are appearing) 35 FACON WAY |
| 24 | YENINGTON NV 89447 |
| 25 | (Address) |
| 6 | 775-230-4427 |
| 27 | (Telephone number) |



89201+8192

Robert & Ronnie Rowley 38 Falcon Way 7 enngton NV 8947-9409